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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 14-0306 WHA
)	
Plaintiff,)	
)	UNITED STATES' MOTION FOR AN ORDER
v.)	PROHIBITING DEFENDANT FROM SPECIFIC
)	COMMENTS AT TRIAL
LUKE D. BRUGNARA,)	
)	Trial Date: April 27, 2015
Defendant.)	Pretrial Date: April 22, 2015
)	Court: Hon. William Alsup

The government has already filed motions requesting that this Court prohibit defendant from referencing his custodial status, punishment, *pro se* status, hearsay statements, prior time in custody, his views of the prosecutors or motivation for the prosecution, and other inadmissible facts. Dkt. 414 at 5–6. The government has also requested that this Court put in place various procedures to control defendant's behavior during trial, including cutting him off when he repeatedly veers into the objectionable and summarily holding him in contempt when he disobeys this Court's orders. Dkt. 411. Defendant has already confirmed, in the recorded phone call to his mother that the government provided to the Court last week, that he intends to disobey this Court's orders and the Rules of Evidence

1 To that end, the government supplements these motions and respectfully requests a written order
 2 explicitly forbidding defendant from addressing these and other inappropriate topics. The government
 3 requests that this order include explicit instructions that defendant cannot reference topics that the Court
 4 has or will exclude (for example, if the Court excludes evidence regarding Rose Long's arrest in
 5 Memphis). Defendant will otherwise claim that he was not so warned, or that there was a lack of clarity
 6 in this Court's rulings.

7 In addition, defendant has repeatedly attacked Rose Long using facts for which there is no
 8 evidentiary support—including that she is an alcoholic, drug user, and mentally ill, or that she is “all
 9 over the Internet for art fraud.” The government sets out below, in bold, illustrative comments
 10 defendant has made on this subject and requests that this Court order defendant from not making any of
 11 these comments, or any similar comments, at the trial unless and until the Court specifically rules
 12 otherwise:

13 “The woman is a single claimant who is **a drunk and a drug addict, who was arrested for**
 14 **assaulting a police officer in Walgreen's.**” December 16, 2014 Tr. at 45:11.

15 “So here's a woman that's either inebriated with **her history of drunk driving . . .**” June 17,
 16 2014 Tr. at 47:11–47:12.

17 “[T]his woman is **on medication for mental illness . . .** you're talking about someone who's
 18 **mentally disturbed . . .**” April 14, 2015 Tr. at 31:23–32:1.

19 “So how can you reconcile a claim from one woman, who's **mentally ill based upon the**
 20 **prescribed medication . . .**” April 14, 2015 Tr. at 32:16–32:17.

21 “And for **one woman who now we find out is on antipsychotic medication, who's seriously**
 22 **mentally disturbed . . . one woman who's mentally ill by her own doctor . . .**” April 14, 2015 Tr. at
 23 41:23–42:1.

24 “**The woman is nuts. You know, she's insane.** She came to my house reeking of alcohol. She
 25 **has DUIs. She's crazy.**” June 17, 2014 Tr. at 24:16–24:17.

26 “. . . **some crazy woman who's all over the Internet for art fraud?**” June 17, 2014 Tr. at
 27 45:7–45:8.

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/s/

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